

MAY 13, 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

**NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Eloise K. Hahn, P.E., R.E.M.

Assigned Judge: Judge Coar

V.

CIVIL ACTION
No. 08CV2333

US EPA Region 5

Peter Swenson, Chief NPDES Programs Branch, USEPA

Alan Nudelman, Water Division, US EPA Region 5

Merry Jackson, USEPA Region 5

Tinka Hyde, USEPA Acting Director, Water Division

COMPLAINT FOR EMPLOYMENT DISCRIMINATION

1. This is an action of employment discrimination.
2. The plaintiff is Eloise K. Hahn, P.E., R.E.M. of the county of Cook in the State of Illinois.
3. The defendants, the USEPA, Region 5, Peter Swenson, Director of NPDES Programs Branch, Water Division, is employed at 77 West Jackson, Chicago, IL 60604, along with his fellow friends being, Alan Nudelman, Merry Jackson and Tinka Hyde, Water Division Acting Chief, who are employed at The USEPA Office, located at 77 West Jackson, Chicago, 60604-3590, in the county of Cook, State of Illinois, 60604. Mr. Swenson's direct phone number is (312) 886-0236.

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4. The Plaintiff sought employment or has been employed by the Defendants since June 1989. The Plaintiff transferred her civil service employment from the Department of the Army Rock Island Arsenal and Chemical Munitions Command in 1990 when she was hired by the USEPA Region 5 Division of Compliance and Enforcement, Water Division on or about May 1990. Hence, Plaintiff has approximately 19 years of service with the United States government as an Engineer, Civil Service.
5. The Plaintiff was hired by the USEPA in May 1990 and is still Employed by the Defendants.
6. The Defendants discriminated against the Plaintiff on or about July 2, 2002. The discrimination focused on sex discrimination, marital status, harassment, national origin, race, religion, disability, color and age. Further, the Plaintiff was not given equal pay nor equal rights to her entitled benefits for leave and flexi-place. Finally, the Plaintiff has continually been denied her civil rights to use the restroom without putting in for annual leave, call her family or travel for the USEPA.

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7. The Plaintiff has filed a charge or charges against the Defendants asserting the acts of discrimination indicated in this Complaint with the United States Regional Civil Rights Office April 25, 2008.
8. A copy of the EEOC Counselor's Initial Interview Charges were filed with the Honorable Judge Coar's Deputy Clerk on May 13, 2008. Additional investigation is advised for thirty (30) additional days to see if a settlement can be achieved such as the Plaintiff being transferred to the US Naval Base in Chicago or Hawaii.
9. The United States Environmental Protection Office, Region 5, Has advised the Plaintiff that is settlement cannot be achieved during the informal investigation process she will be issued a Right to Sue Notice.
10. The Defendants have discrimated against the Plaintiff because of Plaintiff's:
 - (a) Age (Age Discrimination Act)
 - (b) Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. Section 1981.

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- (c) Disability (Americans with Disabilities Act).
 - (d) National Origin (Title VII of the Civil Rights Act Of 1964 and 42 U.S.C. Section 1981.
 - (e) Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C Section 1981.
 - (f) Marital Status
 - (g) Religion (Title VII of the Civil Right Act of 1964)
 - (h) Sex (Title VII of the Civil Rights Act of 1964)
 - (i) Non-equal pay
 - (j) Non-equal benefits
 - (k) Sexual harassment.
11. The Plaintiff is suing the Defendants, including the Federal government for discrimination on the basis of national origin, race and color.
12. Jurisdiction over the statutory violations alleged is conferred as follows: over Title VII claims by 28 U.S.C. Section 1331, 28 U.S.C. Section 1343(a)(3), and 42 U.S.C. Section 2000e-5(f)(3); over 42 U.S.C. Section 1981 and Section 1983 by 42 U.S.C. Section 1988; over the A.D.E.A. by 42 U.S.C. Section

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12117.

13.
 - a) The Defendants plan to terminate the Plaintiff on June 2, 2008, without Plaintiff having a jury trial.
 - b) The Defendants failed to promote Plaintiff.
 - c) The Defendants failed to reasonably accommodate the Plaintiff's religion.
 - d) The Defendants failed to reasonably accommodate the Plaintiff's disabilities.
 - e) The Defendant's failed to grant Plaintiff flexi-place privileges.
 - f) The Defendant's failed to provide Plaintiff equal pay and benefits.
14. The facts supporting the plaintiff's claim for discrimination are as follows:

Plaintiff is not an alcoholic but a diabetic, along with anxiety and bipolar condition in that her brain does not produce adequate serotonin, hence Plaintiff is on 8-10 medications a day.
15. It is Plaintiff's belief that the Defendants knowingly, Intentionally, and discriminated against the Plaintiff.

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THEREFORE, the Plaintiff asks that the court grant the following:

- a) A transfer to the US Navy military base in Hawaii or Chicago;
- b) Direct the Defendants to withdraw all allegations alleged currently to terminate her, including expunging all adverse documentation in her personnel file;
- c) That the defendants provide Plaintiff annual & sick leave, including equal pay;
- d) That the defendants grant the Plaintiff flexi-place;
- e) That the Defendants provide reasonable accommodation to Plaintiff's disabilities;
- f) That the Defendants promote her immediately;
- g) That the Defendants quit harassing the Plaintiff;
- h) That the Plaintiff be granted appropriate injunctive relief, lost wages, liquidated/double damages, front pay, compensatory damages, punitive damages, prejudgment interest, post-judgment interest, and costs, including reasonable attorney fees and expert witness fees.

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- i) Grant such other relief as the Court and jury find appropriate, including full retirement benefits.

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